

KATE McKENNA, AICP  
Executive Officer

**MINUTES OF THE  
LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY**

*Adopted on February 25, 2008*

***An audio recording of this meeting is available at the LAFCO office. Please contact us  
at (831) 754-5838 to arrange a time to listen or to order a copy.***

**Regular Meeting**

**Monday, January 28, 2008, 4:00 p.m.**

**Board of Supervisors Chambers  
Monterey County Government Center  
168 West Alisal, First Floor  
Salinas, California**

The meeting of the Local Agency Formation Commission (LAFCO) of Monterey County was called to order, by Chair DiMaggio at 4:04 p.m. in the Monterey County Board of Supervisors Chambers. Chair DiMaggio led the Pledge of Allegiance.

**ROLL CALL**

**Members Present**

Commissioner DiMaggio, Chair (*Public Member*)  
Commissioner Calcagno, (*County Member*)  
Commissioner Gourley, Alternate (*City Member*)  
Commissioner McGowan (*Special District Member*)  
Commissioner Perkins, (*Special District Member*)  
Commissioner Rubio, (*City Member*)  
Commissioner Salinas, (*County Member*)  
Commissioner Shirrel, Alternate (*Special District Member*)

**Members Not Present**

Commissioner Donohue, Vice-Chair (*City Member*)

**Members Not Present, Presence Not Required**

Commissioner Armenta, Alternate (*County Member*)  
Commissioner Darington, Alternate (*Public Member*)

**Staff Present**

Kate McKenna, AICP, Executive Officer  
Thom McCue, Senior Analyst  
Elliot Mulberg, Senior Analyst  
Frank Tiesen, LAFCO Counsel  
Rachelle Jones, LAFCO Clerk

Chair DiMaggio welcomed new LAFCO Commissioner Supervisor Simon Salinas.

**Item 4: Special Presentation**

**4.a Consider Resolution in Tribute to Commissioner Jerry Smith.**

Chair DiMaggio provided the announcement of a special tribute to Commissioner Jerry Smith and outlined the schedule for presentation of the tribute.

**Commissioner Comment and Action**

Commissioners Rubio, Gourley, Perkins, Calcagno, Salinas, McGowan, Shirrel, and Chair DiMaggio all provided comments about Commissioner Smith ranging from the support he provided on various issues to the personal relationships and experiences they shared with him.

Chair DiMaggio read the Resolution in Tribute to Commissioner Jerry Smith, following Commissioners comments. The entire Commission and Executive Officer McKenna presented the resolution to Byrl Smith, Commissioner Smith's wife.

The Resolution in Tribute to Commissioner Jerry Smith was adopted by unanimous consent of the Commission.

Chair DiMaggio turned the presentation over to Executive Officer McKenna who introduced her children: Fionna, Kaelene, and Skye-Marie. Skye-Marie played a blues song, on her violin, in memory of Commissioner Smith's love of the music.

**Item 5: Minutes**

**5.a Approval of Minutes of the December 3, 2007 Regular LAFCO Meeting.**

Upon Motion of Commissioner Rubio, seconded by Commissioner McGowan, minutes of the December 3, 2007 regular LAFCO meeting, were approved by the following vote:

A YES:	Commissioners Rubio, McGowan, Calcagno, DiMaggio, Perkins, and Salinas
NOES:	None
ABSTAIN:	Commissioner Gourley
ABSENT:	Commissioner Donohue

**5.b Receive Notes from Budget and Finance Committee Meeting of January 23, 2008.**

Upon Motion of Commissioner Rubio, seconded by Commissioner McGowan, Notes from Budget and Finance Committee Meeting of January 23, 2008, were unanimously approved.

**Item 6: Public Comment:**

Hans Jongens spoke about the state of the economy and the upcoming presidential elections.

**Item 7: Commissioner Comment:**

Commissioner Calcagno suggested that LAFCO staff add an item to a future agenda regarding televising the Regular LAFCO meetings.

**Item 8 (a-e): Consent Agenda:**

There was no public or Commission comment on the consent agenda items.

Upon Motion of Commissioner Calcagno, seconded by Commissioner Perkins, Consent Agenda Items: Accept Check Register for November and December 2007, Accept Legislative Status Report, Receive List of Anticipated Future Agenda Items, Authorize Chair to Sign Letter to Monterey County Board of Supervisors Requesting the Supervisors to Designate the County Registrar of Voters to Assist LAFCO in Complying with Financial Disclosure Requirements for Contributions or Expenditures in Support or Opposition to Proposals before the Commission, and Draft Financial Statements for Period Ending December 31, 2007, were unanimously approved.

**9: New Business**

**9.a Consider Draft Amendments to the “LAFCO Rules and Regulations for the Orderly Conduct of Hearings”.**

Executive Officer McKenna provided the report.

**Public Comment**

There was no public comment for this item.

**Commission comment and action.**

Commissioner Shirrel questioned whether an Alternate Commission member could attend in place of a regular standing member on a Commission subcommittee, if the regular member is not available. Following discussion it was decided that the bylaws would not be amended to fill in for a regular Committee member.

Upon Motion of Commissioner Salinas, seconded by Commissioner Gourley, Amendments to the “LAFCO Rules and Regulations for the Orderly Conduct of Hearings”, were unanimously approved.

**9.b Receive Report on LAFCO Chair’s Committee Assignments for 2008.**

Executive Officer McKenna provided report. Chair DiMaggio added comments regarding his assignments to the Committees.

Public Comment

There was no public comment for this item.

Commission comment.

Commissioner Gourley questioned whether there is a Brown Act concern with having a fourth member on the Budget and Finance committee. Following discussion it was decided that there would be a Brown Act concern.

**10: Executive Officers Report**

Executive Officer McKenna provided a report on the status of the City of Salinas Sphere of Influence and Annexation application.

**Item 10: Correspondence**

There were no additional items of correspondence.

**Item 11: Closed Session**

**Pursuant to Government Code Section 54956.9 (a) – Existing Litigation**

**The Commission Conferred with LAFCO Legal Counsel Regarding the Following Item:**

**“Carmel Valley Forum, Inc. (Petitioner) vs. Local Agency Formation Commission of Monterey County (Respondent),” Superior Court Case Number M83394**

The meeting was called into closed session by Chair DiMaggio.

Chair DiMaggio reopened the meeting from closed session with no reportable action.

**Item 12: Adjournment**

On motion of Chair DiMaggio, there being no objections, the meeting was unanimously adjourned at 4:59 p.m. to the next regular LAFCO Meeting to be held on Monday, February 25, 2008 at 4:00 p.m. at the LAFCO Office, 132 W. Gabilan St., Ste. 102, Salinas, California.

Respectfully Submitted,

Rachelle Jones  
LAFCO Clerk